

**UNITED STATES DISTRICT COURT**

**for the**

**Western District of North Carolina**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
Probation Form 49, Waiver of Hearing is Attached**

**FILED**  
STATESVILLE, N.C.  
**MAY 26 2005**  
U.S. DISTRICT COURT  
W. DIST. OF NC

Name of Offender: Carlton James Rutherford

Case Number: 1:00CR9-19

Name of Sentencing Judicial Officer: The Honorable Lacy H. Thornburg  
U.S. District Judge

Date of Original Sentence: 11/2/00      Register Number: 15812-058      PACTS Number: 8697

Original Offense: 21 U.S.C. § 846, Conspiracy to Possess with Intent to Distribute Cocaine Base

Original Sentence: 70 months imprisonment, 3 years supervised release; Special Conditions: \$100  
special assessment (paid) and reimburse U.S. for court-appointed counsel fees

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/9/04

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for    years, for a total of years.  
☒ To modify the conditions of supervision as follows:

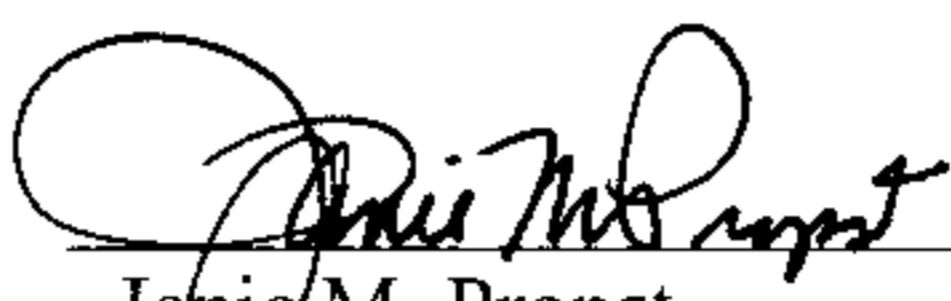
Strike the financial obligation for the defendant to reimburse the U.S. for court-appointed counsel fees.

**CAUSE**

The defendant was released from the Bureau of Prisons on 11/9/04 and began his supervised release term. As of this date, the voucher for court-appointed attorney fees has not been filed. Therefore, I recommend that the Court strike the financial obligation which states, "Defendant shall reimburse the U.S. for court-appointed counsel fees."

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

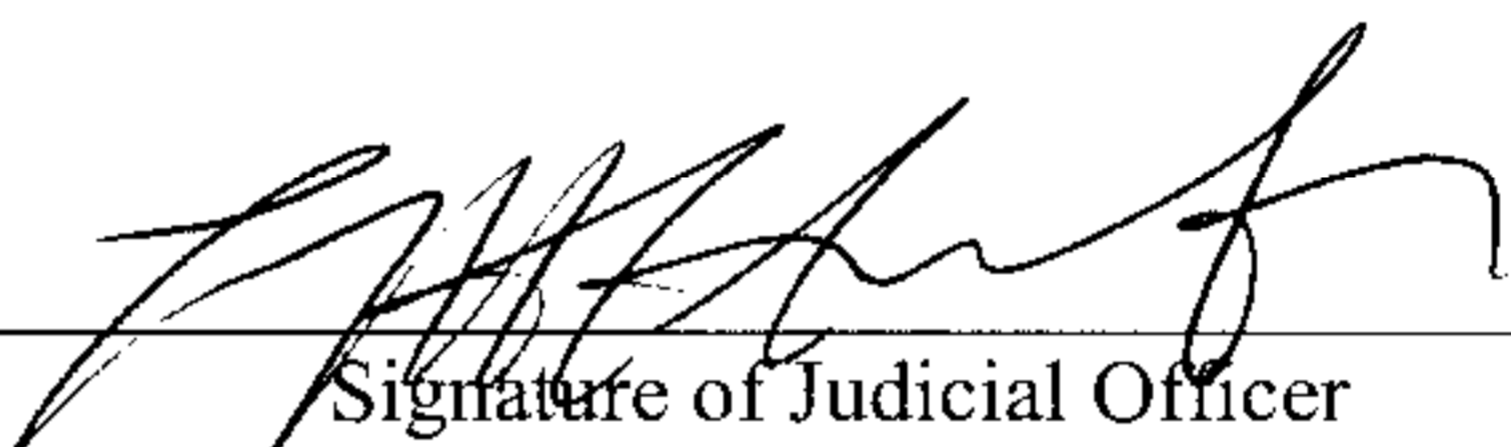
by   
Janie M. Propst  
U.S. Probation Officer  
(828) 267-3511  
Date: 5/23/05

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THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

5-24-05  
Date

  
Signature of Judicial Officer